



STATE OF NEVADA
Department of Administration
Division of Human Resource Management

CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
HEARINGS OFFICER OPTION A: Disability Adjudication B: Industrial Relations C: Public Assistance	36	B	7.684

Hearings Officers conduct fair and impartial quasi-judicial hearings for contested administrative decisions, disputed claims and/or alleged infractions of rules and regulations; elicit and record testimony; accept documentation; make findings of fact; weigh the validity of issues and evidence presented at the hearing; research and interpret related laws, case law, regulations, policies and procedures applicable to the issues; write decisions based on facts and conclusions of the law.

Schedule, open and preside at hearings under the guidelines of the Nevada Administrative Procedures Act, federal laws, regulations and standards, and/or agency policies and procedures; issue subpoenas for witnesses and/or records; admit relevant documentation, testimony and exhibits into evidence; summarize the issues for the record and for the parties involved; question claimants/petitioners and witnesses to clarify facts; swear in witnesses and control questioning; maintain order and rule on procedural matters including the admissibility and relevance of evidence presented; guide the development of the case and maintain a clear understandable record.

Review and analyze documented evidence and arguments and render a decision based on facts established during the hearing, opinions obtained from expert witnesses which clarify issues being heard, and applicable policies, laws and regulations.

Render written decisions; clearly state the relevant issues, findings of fact that support any conclusions of law, and reasons and rationale for the decision; cite applicable law and case law and where conflicting evidence exists, state the basis for finding one party's evidence more credible; sign final decisions which are subject to appellate review.

Ensure maintenance of records of hearing dispositions and prepare periodic reports of hearing activities; may recommend policy and procedural changes based on issues appealed and decisions rendered; and may serve as a staff resource to clarify program related issues and address concerns regarding the conduct of fair hearings.

May supervise clerical support staff by participating in the selection process, providing staff training and development, assigning and reviewing work and evaluating work performance.

Perform related duties as assigned.

OPTION A - Disability Adjudication: Review, hear and make determinations on appealed claims for the establishment, denial, continuation or cessation of disability benefits under Title II and Title XVI of the Social Security Act; issue decisions based on claimant's testimony, medical evidence and collateral information which establish the scope of the disability, the prognosis for improvement, the effect of the condition on the claimant's ability to engage in gainful employment, the claimant's work and personal history including education and occupational skills, residual functional capacity, and other limitations or conditions which may impact the client's disabling condition or ability to perform work.

Perform other duties as assigned which may include quality review, training, medical relations and assisting in claims processing based on agency needs.

OPTION B - Industrial Relations: Conduct hearings to affirm or deny benefit penalties and/or administrative fines levied against an employer, third party administrator, insurer, medical provider or self-insured employer issued by the Industrial Insurance Regulation Section.

OPTION C - Public Assistance: Conduct hearings for applicants for, and recipients of, public assistance who disagree with the agency's action or inaction pertaining to denial, reduction, delay or termination of benefits, and conduct administrative disqualification hearings for suspected program violators based on allegations of intentionally fraudulent receipt of benefits.

MINIMUM QUALIFICATIONS

INFORMATIONAL NOTES:

- * Options in this class will be designated at the time positions are classified.
- * Current certification as a paralegal or graduation from an accredited school of law may be substituted for one year of the required experience.

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university in public or business administration, social science, English or other relevant field and two years of professional experience in the assigned program which included making determinations or adjudicating issues through interpretation and application of federal and State laws, regulations and procedures; analysis of policy, precedents and current circumstances; and writing concise, logical and understandable decisions or technical documentation; **OR** an equivalent combination of education and experience. (*See Informational Notes*)

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Working knowledge of: interpretation and application of federal and State laws and regulations related to the assignment; program policies and procedures applicable to the assigned hearings areas; English grammar and composition. **General knowledge of:** standard rules of evidence, hearsay evidence, and due process. **Ability to:** make appropriate decisions based on an analysis of policy, precedents, and current circumstances; read and interpret laws, regulations, policies, procedures, legal documents and/or medical reports; effectively communicate with persons from a variety of social, economic and educational levels, both verbally and in writing; establish priorities which accurately reflect the relative importance of job responsibilities; maintain an unbiased attitude and deal objectively with individuals in emotionally charged situations; evaluate information and truthfulness of testimony; present information in a tactful manner; schedule hearings based on complexity, anticipated length of hearing, and disputed facts; determine needed information and phrase questions accordingly. **Skill in:** relating and interpreting laws and precedents to specific issues under review; writing concise, logical, grammatically correct, and understandable decisions; recognizing degrees of truth and reliability in evaluating information; dealing effectively with hostile or emotional people; interviewing to elicit specific information or facts; maintaining control and focus of a hearing or meeting.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Working knowledge of: terminology, theories, trends, and common practices in the fields appropriate to the assigned hearing area; legal precedents concerning area of assignment; standard rules of evidence, hearsay evidence, and due process requirements. **Ability to:** interact effectively with hearing participants, petitioners, legal counsel, witnesses and representatives of the department in a manner which produces an orderly, impartial environment and ensures due process; use appropriate terminology in the decision to effectively explain the facts of the claim, adjudicative interpretations, and justifications of lawful conclusions to all parties involved; logically evaluate judicial arguments and identify their strengths and weaknesses in application to each case heard; communicate decisions concerning motions and objections. **Skill in:** performing legal research.

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

7.684

ESTABLISHED:	3/22/71
REVISED:	6/7/71
REVISED:	6/13/79-3
REVISED:	9/27/84-3
REVISED:	7/1/93
	10/23/92PC
REVISED:	5/6/02UC